



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL



1700 G Street NW, Washington, D.C. 20552

June 16, 2023

VIA ECF & EMAIL (Failla_NYSDChambers@nysd.uscourts.gov)

The Honorable Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

MEMO ENDORSED

Re: Consumer Financial Protection Bureau and the State of New York v. MoneyGram International, Inc. and MoneyGram Payment Systems, Inc.
Case No. 22-cv-3256 (KPF)

Dear Judge Failla:

Plaintiffs the Consumer Financial Protection Bureau (Bureau) and the State of New York respectfully request permission to redact the names of certain third parties and information concerning their relationship with Defendants MoneyGram International, Inc. (MGI) and MoneyGram Payment Systems, Inc. from a forthcoming letter motion. The motion seeks a limited modification of the stay to prevent third parties from destroying relevant documents. The proposed redactions are contained in the letter motion, its exhibits, and Exhibit A to the Declaration of Samuel Taxy. Pursuant to paragraph 9.B.i of this Court's Individual Rules of Practice in Civil Cases, unredacted versions of the documents will be filed under seal.

The information to be redacted was derived from (a) information produced during the Bureau's investigation (investigative documents), and (b) documents produced to the Bureau during the Bureau's confidential supervisory process (exam documents). MGI has designated each and every investigative document submitted to the Bureau as containing trade secrets. As such, and because these documents are deemed "confidential investigative information," 12 C.F.R. § 1070.2(h), federal regulations allow Defendants an opportunity to "seek an appropriate order prior to disclosure" of any material that MGI claims "contains any trade secret or privileged or confidential commercial or financial information." *Id.* § 1070.45(a)(4). Additionally, Plaintiffs seek to redact information derived from exam documents produced during the supervisory process, which are deemed "confidential supervisory information," *id.* § 1070.2(i), to afford Defendants the opportunity to seek a protective order for these materials as permitted under 12 C.F.R. § 1070.45(a)(4). Plaintiffs redacted all information derived from these sources unless such information was clearly publicly available.

Moreover, due to the nature of Plaintiffs' forthcoming motion, the redacted information may also contain information about third parties that was derived from terms of service and contracts that contain confidentiality clauses.

Plaintiffs therefore respectfully request that the company names and related information contained in Plaintiff's motion and exhibits be filed with redactions.

s/ Jason L. Meizlish (with consent)

JASON L. MEIZLISH

Assistant Attorney General

Bureau of Consumer Frauds and Protection

Office of the New York State Attorney General

28 Liberty Street

New York, NY 10005

Email: Jason.Meizlish@ag.ny.gov

Telephone: 212-416-8455

Attorney for Plaintiff

State of New York

Respectfully submitted,

s/ Samuel Taxy

SAMUEL TAXY

ERIN MARY KELLY

REBECCA SMULLIN

Enforcement Attorneys

1700 G Street NW

Washington, DC 20552

Email: samuel.taxy@cfpb.gov

Email: erin.kelly@cfpb.gov

Email: rebecca.smullin@cfpb.gov

Telephone: 202-435-7551 (Taxy)

Telephone: 202-435-7367 (Kelly)

Telephone: 202-435-7546 (Smullin)

Attorneys for Plaintiff

Consumer Financial Protection Bureau

Cc: Counsel of Record (via ECF)

Application GRANTED.

The Clerk of Court is directed to terminate the pending motion at docket entry 60.

Dated: June 16, 2023
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE